



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

**5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912**

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

OCT 17 2014

Mr. Joel Harding
Director of Maintenance and Operations
Stoughton Public Schools
232 Pearl Street
Stoughton, Massachusetts 02072-2397

Re: PCB Cleanup and Disposal Approval under 40 CFR § 761.61(a)
and § 761.79(h)
Helen Hansen Elementary School
Stoughton, Massachusetts

Dear Mr. Harding:

This is in response to the Town of Stoughton Public Schools (SPS) Notification¹ for approval of the proposed plan to address PCB contamination within the window/door replacement project area at the Helen Hansen Elementary School (the Site) located at 1800 Central Street, Stoughton, Massachusetts. The Site contains caulk that exceeds the allowable PCB levels under 40 CFR § 761.20(a) and § 761.62.

The SPS has requested an approval under 40 CFR § 761.61(a), which includes the following activities:

- o Remove *PCB bulk product waste* (i.e., window/door assemblies including PCB caulk, glazing, and frames in the 1966 wing, and expansion joint caulk between the 1962 and 1966 wings) and dispose in accordance with 40 CFR § 761.62(b)

¹ The notification was prepared by Lord Associates and United Environmental Consultants on behalf of the Town of Stoughton Public Schools to satisfy the notification requirement under 40 CFR § 761.61(a)(3) and § 761.79(h). Information was submitted dated May 27, 2014 (PCB Abatement Plan); and August 6, 2014 (Response to EPA Comments and revised PCB Abatement Plan); September 18, 2014 (PCB Abatement Plan Modification); and October 7, 2014 (Response to EPA questions concerning sampling). These submittals shall be referred to as the "Notification".

- o Remove an additional 1 foot (ft) of *PCB remediation waste* (i.e., soils on west face area – 5 feet (ft) wide by 100 ft long, and north face area – 2 ft wide by 70 ft long) for a total depth of 1.7 ft and dispose as a less than ($<$) 50 parts per million (ppm) PCB remediation waste in accordance with § 761.61(a)(5)(i)(B)(2)(ii)
- o Collect additional adjacent *porous surface* (i.e., brick) samples in accordance with the Notification to confirm that the PCB cleanup standard of less than or equal to (\leq) 1 ppm has been met
- o Collect soil verification samples in accordance with Subpart O to confirm that the PCB cleanup standard of \leq 1 ppm has been met

The Notification meets the requirements and standards established under §§ 761.61(a), 761.62, and 761.79(h) for cleanup and disposal of *PCB remediation waste* and *PCB bulk product waste*.

The SPS may proceed with its project in accordance with 40 CFR § 761.61(a); § 761.62; § 761.79(h); its Notification; and, this Approval, subject to the conditions of Attachment 1. EPA expects SPS to implement the community outreach plan as detailed in its Notification.

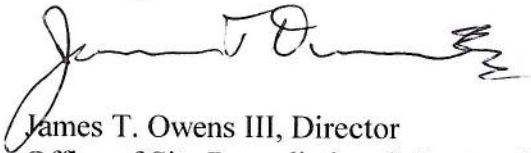
Questions and correspondence regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

This Approval does not release the SPS from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCBs or other contaminants under the Massachusetts Department of Environmental Protection (MassDEP) regulations.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

A handwritten signature in black ink, appearing to read "James T. Owens III", with a stylized flourish at the end.

James T. Owens III, Director
Office of Site Remediation & Restoration

cc Ralph Tella, Lord Associates
 Ammar Dieb, UEC
 MassDEP, Southeast Region
 File

Attachment 1: PCB Approval Conditions

ATTACHMENT 1

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
TOWN OF STOUGHTON PUBLIC SCHOOLS
HELEN HANSEN ELEMENTARY SCHOOL (the "Site")
1800 CENTRAL STREET
STOUGHTON, MASSACHUSETTS**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.⁽²⁾
2. The Town of Stoughton Public Schools (SPS) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. The SPS must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, the SPS shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. The SPS is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time the SPS has or receives information indicating that the SPS or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.

² The notification was prepared by Lord Associates and United Environmental Consultants on behalf of the Town of Stoughton Public Schools to satisfy the notification requirement under 40 CFR § 761.61(a)(3) and § 761.79(h). Information was submitted dated May 27, 2014 (PCB Abatement Plan); and August 6, 2014 (Response to EPA Comments and revised PCB Abatement Plan); and September 18, 2014 (PCB Abatement Plan Modification); and October 7, 2014 (Response to EPA questions concerning sampling. These submittals shall be referred to as the "Notification"

7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by the SPS are authorized to conduct the activities set forth in the Notification. The SPS is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release the SPS from compliance with any applicable requirements of federal, state or local law; or 3) release the SPS from liability for, or otherwise resolve any violations of federal, state or local law.
9. Failure to comply with the Approval conditions specified herein shall constitute a violation of the requirement in § 761.50(a) to store or dispose of PCB waste in accordance with 40 CFR Part 761 Subpart D.

NOTIFICATION AND CERTIFICATION CONDITIONS

10. This Approval may be revoked if the EPA does not receive written notification from the SPS of its acceptance of the conditions of this Approval within 10 business days of receipt.
11. The SPS shall notify EPA in writing of the scheduled date of commencement of on-site activities at least one (1) business day prior to conducting any work under this Approval.
12. The SPS shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected abatement/demolition contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected demolition or abatement contractor(s) describing the containment and air monitoring that will be employed during abatement activities. This work plan should also include information on how and where wastes will be stored and disposed of, and on how field equipment will be decontaminated; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical method requirements and quality assurance requirements specified in the Notification and in this Approval.

CLEANUP AND DISPOSAL CONDITIONS

13. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
14. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
 - a. All visible residues of PCB caulk and associated window/doors assemblies (i.e., *PCB bulk product waste*) shall be removed as described in the Notification.
 - b. The cleanup level for *porous surfaces* (i.e., brick) at the Site shall be less than or equal to (\leq) 1 part per million (ppm).
 - i) Samples shall be collected on a bulk basis (i.e., mg/Kg) and reported on a dry-weight basis. Ten additional samples shall be collected from the exterior windows within the 1966 section of the building. The sampling frequency shall be 1 sample per window and shall be collected adjacent to the PCB caulk joint.
 - ii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
 - iii) In the event **any** sampling result is > 1 ppm, SPS shall contact EPA for a determination on the appropriate sampling frequency for the remaining surfaces.
 - c. The cleanup level for bulk *PCB remediation waste* (i.e., soils) at the Site shall be less than or equal to (\leq) 1 part per million (ppm).
 - i) Bulk *PCB remediation waste* samples shall be collected on a bulk basis (i.e., mg/Kg) and reported on a dry-weight basis. Verification sampling shall comply with Subpart O; samples shall be collected from both excavation bottoms and sidewalls, as applicable.

- ii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
15. PCB waste (at any concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with 40 CFR § 761.40; stored in a manner consistent with 40 CFR § 761.65; and, disposed of in accordance with 40 CFR § 761.61 or § 761.62, unless otherwise specified below.
- a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g)(6).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

16. The SPS shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by the SPS to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
17. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
18. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

19. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
20. Approval for these activities may be revoked, modified or otherwise altered: if EPA finds a violation of the conditions of this Approval or of 40 CFR Part 761, including EPA's PCB Spill Cleanup Policy, or other applicable rules and regulations; or, if EPA finds that these activities present an unreasonable risk to public health or the environment.

RECORDKEEPING AND REPORTING CONDITIONS

21. The SPS shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the cleanup and disposal and the analytical sampling shall be established and maintained by the SPS in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
22. The SPS shall submit a final report as both a hard copy and electronic version, to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities with photo-documentation; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the PCB cleanup area(s); copies of manifests and bills of lading; and copies of certificates of disposal or similar certifications issued by the disposer.
23. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator
United States Environmental Protection Agency
5 Post Office Square, Suite 100 – (OSRR07-2)
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527
24. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1